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Decision No. _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application of }
SOUTHERN PACIFIC TRANSPORTATION COMPANY }
for an order authorizing the construction }
at grade of an industrial drill track in, }
upon and across Turner Road in the City }
of Lodi, County of San Joaquin, State of }
California. }

ORIGINAL

Application No. 59285
(Filed November 19, 1979)

O P I N I O N

As part of the project to provide additional rail service to serve the expanding industrial facilities of General Mills, Inc., the Southern Pacific Transportation Company requests authority to construct an industrial drill track at grade across Turner Road in the City of Lodi, San Joaquin County.

The City of Lodi is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended, Public Resources Code, Section 21000 et seq.

After preparation and review of an Initial Study, the City of Lodi issued a Negative Declaration and approved the project. On January 7, 1980, a Notice of Determination was filed with the San Joaquin County Clerk which found that "The project will not have a significant effect on the environment."

The Commission is a responsible agency for this project under CEQA and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration. The site of the proposed project has also been inspected by the Commission staff.

The proposed industrial spur track will provide rail service to the new high density storage warehouse and shipping facilities which are being constructed at the General Mills, Inc. plant. The area in the vicinity of the plant is a mixture of industrial, commercial and residential development. There are presently two spur tracks crossing Turner Road which provide service to the existing buildings of General Mills, Inc.

Notice of the application was published in the Commission's Daily Calendar on November 21, 1979. No protests have been received. A public hearing is not necessary.

F I N D I N G S

After consideration, the Commission finds:

1. Applicant should be authorized to construct an industrial drill track at grade across Turner Road in the City of Lodi, San Joaquin County, at the location and substantially as shown by the plans attached to the application, to be identified as Crossing DE-105.6-C.

2. Construction of the crossing should be equal or superior to Standard No. 1 of General Order 72-B.

3. Clearances should conform to General Order 26-D. Walkways should conform to General Order 118.

4. Protection at the crossing should be two Standard No. 9 automatic gate-type signals (General Order 75-C).

5. For a period not to exceed one year from the date of this order, protection at the crossing may be two Standard No. 1-R crossing signs (General Order 75-C). The signs should be lettered (both sides) on reflectorized white background. No on-rail vehicle should operate over the crossing unless it is first brought to a stop and traffic on the street protected by a member of the crew, or other competent employee of the railroad, acting as a flagman. The flagman should place a minimum of two fuseses on each side of the track prior to entry of the on-rail vehicle into the crossing.

6. Written instructions should be issued by the railroad to trainmen, operating over the crossing, to comply with the flagging instructions. A copy of the instructions should be filed with the Commission within thirty days after installation of the crossing. Suitable signs should be installed on both sides of Turner Road, calling the attention of trainmen to the flagging instructions. Flagging procedures outlined herein should remain in full force until the required automatic protection ^{is} installed and operative.

7. Construction expense of the crossing and installation cost of the automatic protection should be borne by the applicant.

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8. Maintenance of the crossing should be in accordance with General Order 72-B. Maintenance cost of the automatic protection should be borne by the applicant.

9. The City of Lodi is the lead agency for this project pursuant to the California Environmental Quality Act of 1970, as amended.

10. The Commission is a responsible agency for this project and has independently evaluated and assessed the lead agency's Initial Study and Negative Declaration.

11. It can be seen with certainty that this project may have no significant impact on the environment.

C O N C L U S I O N

On the basis of the foregoing findings, we conclude that the application should be granted as set forth in the following order:

O R D E R

IT IS ORDERED that:

1. The Southern Pacific Transportation Company is authorized to construct an industrial drill track at grade across Turner Road in the City of Lodi, San Joaquin County, as set forth in the findings of this decision.

2. Within thirty days after completion, pursuant to this order, applicant shall so advise the Commission in writing.

This authorization shall expire if not exercised within two years unless time be extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity or safety so require.

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The effective date of this order shall be thirty days after the date hereof.

Dated JUN 3 1980, at San Francisco, California.

John E. Bayne
President

Richard L. Seto
Richard W. Thoburn

[Signature]
Commissioners

Commissioner Claire T. Dedrick, being necessarily absent, did not participate in the disposition of this proceeding.